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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,954	08/04/2000	Darryl Black	102689-36/00-U0037	1072
21125	7590	01/25/2005	EXAMINER	
NUTTER MCCLENNEN & FISH LLP WORLD TRADE CENTER WEST 155 SEAPORT BOULEVARD BOSTON, MA 02210-2604			NGUYEN, STEVEN H D	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/632,954

Applicant(s)

BLACK ET AL.

Examiner

Steven HD Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/9/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/9/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7, 14-18, 19-21, 23 and 25-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Daly (USP 5748896).

Regarding claims 1, 19 and 27-28, Daly discloses (Figs 1-11 and col. 1, lines 5 to col. 18, lines 67) a method of managing a telecommunications network comprising generating a plurality of user profiles each providing network management access to a user; each profile defining network management capabilities assigned to a respective user; adding a user profile to a network management system (Fig 5a, new user button is used to add new user profile); editing parameters within the user profile to establish management capabilities assigned to one or more users associated with the profile (Fig 5b-3 and Fig 5c used to edit the parameters for allowing the user to established management capabilities), and a list of network devices capable of being managed or configuring through the user profile (Fig 5a, 5B-1 and 5B-3 which include the servers that allows the user to set access level such read and write or read only; see col. 10, lines 28-66, col. 12, lines 8-21; col. 12, lines 66 to col. 13, lines 28).

Regarding claims 2 and 18, Daly discloses providing network management access further comprises displaying a user interface is a graphical user interface (GUI) in accordance with the user profile (Fig 5).

Regarding claims 3 and 20, Daly discloses the network management system includes a plurality of user profiles and receiving a user name and password; comparing the received user name and password against user names and passwords stored in the plurality of user profiles; and displaying a user interface in accordance with a user profile including the received user name and password (Col 10, lines 45-54).

Regarding claim 4, Daly discloses defining management capabilities comprises assigning an access level corresponding to specific management capabilities (Fig 5).

Regarding claims 5-7, Daly discloses assigning an access level comprises assigning an administrator access level to permit a user to read and write physical and logical objects; a provisioned access level to permit a user to read physical objects and read and write logical objects; a customer access level to permit a user to read their logical objects (Fig 5b-3).

Regarding claim 14-17, Daly discloses setting network management policy flags within the user profile for setting a password control policy flag to enable a user to change a password within the user profile; setting an account disabled policy flag to disable the user profile and prevent access; setting an add device policy flag to enable a user to add network devices to the list of devices capable of being managed through the user profile (Fig 5 discloses a user set the flag for in the use profile for changing password, disable account and adding a network device).

Regarding claim 21, Daly discloses receiving input from a user through the user interface; configuring a network device from the list of network devices within the user profile in accordance with the management capabilities in the user profile (col. 12, lines 8-21, the user configures the hard drive or folder to be shared with the other users and set access level for the interface; provisioning services within a network device from the list of network devices within

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the user profile in accordance with the management capabilities in the user profile (col. 12, lines 8-21 discloses a network device is provisioned into a plurality of network services; Fig 5B-1).

Regarding claim 25, Daly discloses receiving user profile data from a user; and modifying parameters within the user profile in accordance with the received user profile data (Fig 5c, receiving the parameters of the user profiles from the user and modifying the parameters in the user profile database according to the received information such password).

Regarding claim 26, Daly discloses copying the user profile to another user profile; and editing parameters within the other user profile to establish management capabilities and a list of network devices capable of being managed through the other user profile (Fig 5, Duplicate USER and modifying the parameters to create a new user).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8-13, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daly.

Regarding claims 8-11, Daly fails to disclose the claimed invention.. However, the examiner takes an official notice that an advantage of providing a list of network address of the network devices wherein listing network devices further comprises listing an SNMP community

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string, retry value, timeout for each network device are well known and expected in the art at the time of invention was made to manage the network devices on the network.

Regarding claims 12-13, Daly fails to fully disclose the claimed invention. However, the examiner takes an official notice that a method and advantage of designating a primary and secondary network management server associated with the user profile are well known in the art at the time of invention was made to implement a primary and backup server for allowing the user to access the network. The motivation would have been to reduce a down time of the network.

Regarding claim 22, Daly fails to fully disclose claimed invention. However, the examiner takes an official notice that a method and advantage for enabling or disabling a port of the network device is well known and expected in the art at the time of invention was made to provide a network security.

Regarding claim 24, Daly fails to disclose the claimed invention. However, a method and system for allowing a network administrator to set up a SONET path within the network device is well known and expected in the art at the time of invention was made to implement a function into a terminal for allowing a user to set a SONET path according to the access level which is defined in the access control list.

Response to Arguments

5. Applicant's arguments filed 9/9/04 have been fully considered but they are not persuasive.

In response to pages 6-7, the applicant states that Daly fails to disclose a method for generating a plurality of user profiles, each of which provides a network management access to a server wherein each profile defines network management capabilities that are assigned to a respective user. In reply, Daley discloses a network management server for allowing a network administrator to generating a plurality of users with administration access level for accessing and managing the network devices (Fig 5b-3 discloses a plurality of administrator profiles “read on a plurality of user profile have the management capabilities) which have a management access level for configuration the network devices such fileserver, printer, See Fig 5A, each of user profile is defined a management access level). Furthermore, the applicant states that Daley discloses a single user having management capabilities. In reply, Daley discloses a plurality of administrator users have management capacities (See Fig 5b-3, Greg Burns, Ross etc..).

In response to pages 7-8, the applicant states that Daly fails to disclose adding or editing user profiles and a list of devices that can be managed through the profile. See the argument above.

In response to page 8, the applicant states that the examiner does not provide the references the limitations of claims 8-13, 22 and 24 which are well known and expected in the art. In reply, As claims 8-11, Kekic (USP 5999179) discloses a list of network device with network address (Fig 3B, Ref 305) and SNMP string (Fig 3b, Ref 305) and time out and retry (Fig 3B, polling). As claim 12-13, See Kim (USP 6546002) which discloses a user profile stored in the servers (See col. 11, lines 38-42. Furthermore, it is well known in the WIN NT of Microsoft wherein the primary and secondary servers used to store the user profiles. As claim 22, Nelson (USP 5999948) discloses a method for enabling a port (See Fig 3A, Ref 25). As claim

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24, Du (USP 5826239) discloses a method for configuration a sonnet path (Fig 6-7 and col. 11, line 50 to col. 12, line 67). These references discloses the steps that are well known and expected in the art at the time of invention was made. Therefore, it would have been obvious to one of ordinary skill in the at the time of invention was made to implement them into Daly's network management method and system in order to obtain a universal network management software.

The teaching of Daly, Kekic, Kim, Nelson and Du perform the claimed invention.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

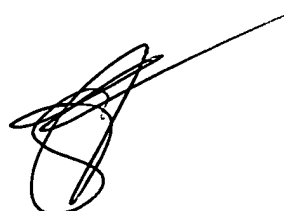
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (571) 272-3159. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'Steven HD Nguyen', with a long horizontal line extending from the top right of the signature.

Steven HD Nguyen
Primary Examiner
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1/18/05